

## JURISDICTION

4. Jurisdiction in this case is proper under 8 U.S.C. § 1447(b), and 28 U.S.C. § 2201. Relief is requested pursuant to said statutes.

## VENUE

5. Venue is proper in this court pursuant to 8 U.S.C. § 1447(b) in that this is an action against officers and agencies of the United States in their official capacities, brought in the District in which Plaintiff resides.

## CAUSE OF ACTION

6. In 2005, Plaintiff filed an Application for naturalization on Form N-400 (Receipt # ESC \*001413009). On 26 April 2006 he was examined on that application.

7. At his examination, Plaintiff passed the English language and U.S. history and government tests. Plaintiff was advised verbally that he passed these tests.

8. Over the past 16 months, Plaintiff has made repeated inquiries into the status of his case. On each occasion, Plaintiff has been told the case is pending the results of a mandated agency security check, the purpose of which is to confirm that Plaintiff has no criminal record and presents no security risk.

9. More than 120 days have passed since the initial examination and the Defendant has made no decision on Plaintiff's application.

10. The Defendant's failure to make a determination of Plaintiff's application within the 120 day statutory period allows Plaintiff to bring the matter to this Court for a hearing pursuant to 8 U.S.C. § 1447(b).